

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 24, 2000

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Masterson, J., Aragon, J. (Assigned), and C. Hon, Deputy Clerk.

Each of the following:

B139177 Irvin B. v. S.C.L.A. (D.C.F.S.)
B140176 Francisco R. v. S.C.L.A. (D.C.F.S.)

Argument waived, cause submitted.

B128720 Los Angeles County Employees Association, etc., et al.
 v.
 The Superior Court Of Los Angeles County et al.

Merits:

Argued by Susan Seletsky for respondents by Albert D. Kelly for appellants and by Melanie Poturica for amicus curiae in support of appellants. Cause submitted.

B130697 Flo-Loc Controls Systems, Inc.
 v.
 Gonzalez

Merits:

Argued by Howard M. Loeb for appellant and no appearance for respondent. Cause submitted.

DIVISION ONE (Continued)

B119107 In re Fred R. Weisman Trust of 1991
Reda
v.
Smith et al.

Merits:
Argued by Allan B. Cutrow for appellant and by Patricia Lofton for respondents. Cause submitted.

Ortega, J. leaves the bench.

B132359 Khoilian
v.
Irell & Manella

Merits:
Argued by Stanley P. Lieber for appellant and by Lester L. Jones for respondent. Cause submitted.

Ortega, J. returns to the bench.

B132208 Naim et al.
v.
Lalezarian et al.

Merits:
Argued by George M. Halimi for appellants and by Carl E. Kohlweck for respondents. Cause submitted.

Masterson, J. leaves the bench.

B133931 Hunt
v.
Bennett

Merits:
Argued by A. Thomas Hunt, in propria persona for appellant and by James S. Link for respondent. Cause submitted.

DIVISION ONE (Continued)

Masterson, J. returns to the bench.

B124270 Hanna et al.
 v.
 Hafif et al.

Merits:
Argued by Greg K. Hafif for appellants and by John Rowell for respondents. Cause submitted.

Masterson, J. leaves the bench.

B133505 Deallen,
 v.
 USA Auto Body, Inc.

Merits:
Argued by Andrea Rubin for appellant and by Randall S. Guritzky for respondent. Cause submitted.

Masterson, J. returns to the bench.

B131117 Karbasi
 v.
 Hollywood Park Operating Company et al.

Merits:
Argued by Pinhas Karbasi, appellant in propria persona and by Roy G. Weatherup for respondents. Cause submitted.

Court adjourned at 11:43 A. M.

DIVISION TWO

B125787 Post Sound Corporation (Not for Publication)
 v.
 Floyd et al.

The judgment of dismissal following the sustaining of the demurrers is reversed. The trial court's ruling sustaining the demurrer to the fourth cause of action is reversed. The trial court's ruling sustaining the demurrers to the third and sixth causes of action is affirmed. The cause is remanded to the trial court for further proceedings consistent with this opinion. Each party to bear its own costs.

Mallano, J. (Assigned)

We concur: Boren, P.J.
 Nott, J.

B130757 People (Not for Publication)
 v.
 Navarro

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

B133567 People (Not for Publication)
 v.
 Valenzuela

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

DIVISION TWO (Continued)

B131669 Martin (Not for Publication)
v.
Summers et al.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Cooper, J.

B135643 People v. Walker (Not for Publication)

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

DIVISION THREE

B133666 Los Angeles County, D.C.F.S.
v.
Jacqueline R. et al.
In re Russell R., a minor

Filed order modifying opinion. (No change in the judgment)

DIVISION THREE (Continued)

B127546 People (Not for Publication)
v.
Craig A.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B128475 People (Not for Publication)
v.
Chella M.

The matter is remanded so the juvenile court may consider the probation officer's report and make a determination on the record regarding whether the offense should be considered a felony or a misdemeanor. In all other respects, the order of wardship is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B124428 People (Not for Publication)
v.
Murschel

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

DIVISION THREE (Continued)

B130311 People (Not for Publication)
v.
Cruz

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B134830 Zara Sipan Gasparyan (Not for Publication)
v.
Richard Sipan
Ervand Rubenich

The judgment is affirmed. Richard Sipan to recover attorney fees and costs on appeal, in the sum of \$9,729.75.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B137161 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Clifford J.

The appeal is dismissed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B133014 Grace Kuzman (Not for Publication)
 v.
 A. Testoni, Inc.

The order from which appellant has appealed is reversed. The matter is remanded for further proceedings not inconsistent with the views expressed herein. Costs on appeal to plaintiff.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B125467 Charles M. Poll et al. (Not for Publication)
 v.
 Elizabeth A. Olson

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B122554 The People (Not for Publication)
 v.
 Sixty Eight Thousand Three Hundred Seventeen Dollars in U.S. Currency
 Maria Plascencia

The judgment from which claimant has appealed is reversed and the cause is remanded for further proceedings consistent with the views expressed herein. The appeal taken from the order denying claimant's motion for reconsideration and new trial is dismissed. Costs on appeal to claimant.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION THREE (Continued)

B127912 Texas State (Not for Publication)
 v.
 George Ivan Mehnaffey

The order from which father has appealed is reversed and the cause is remanded for further proceedings consistent with the views expressed herein. Costs on appeal to father.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B129890 Kevin Ko (Not for Publication)
 v.
 Revere Financial Corporation, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B129645 People (Not for Publication)
 v.
 Butts

The judgment is modified by imposing state and county penalty assessments of \$50 (Pen. Code, 1202.4, subd. (a)(2), 1464, subd. (a)), and \$35 (Gov. Code, 76000, subd. (a)), respectively. As modified, the judgment is affirmed. The trial court is directed to file an amended abstract of judgment reflecting the above penalty assessments and the \$50 laboratory fee imposed by the trial court pursuant to Health and Safety Code section 11372.5, subdivision (a).

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

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The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B128674 People (Not for Publication)
v.
Romero

The appeal is dismissed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B125365 Gregory J. Helmer et al. (Not for Publication)
v.
Farmers Insurance Company, a California Corporation et al.

The judgment is reversed. Appellant(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (Continued)

B129175 Gregory J. Helmer et al. (Not for Publication)
 v.
 Farmers Insurance Company, a California Corporation et al.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B128144 Ilse Cota (Not for Publication)
 v.
 Ralphs Grocery Company et al.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B126276 Daryl Crismon (Not for Publication)
 v.
 County of Los Angeles

The judgment is reversed. Appellant(s) to recover costs.

Aldrich, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (Continued)

B119741 Cotter & Company (Not for Publication)
 v.
 Debra Kline, an individual, et al.

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B134817 People (Not for Publication)
 v.
 Butler

For the foregoing reasons, the judgment is affirmed.

Hastings, Acting P.J.

We concur: Curry, J.
 Rubin, J. (Assigned)

B135861 People (Not for Publication)
 v.
 Roque

The order denying the motion to vacate the judgment or alternatively to
modify the judgment is affirmed.

Hastings, Acting P.J.

We concur: Curry, J.
 Rubin, J. (Assigned)

DIVISION FIVE

B127097 People
 v.
 McCoy

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

Court convened at 9:31 A.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and J. Terry, Deputy Clerk.

B136947 Child Protective Services v. Cynthia P.

Argument waived, cause submitted.

B135077 Arnold
 v.
 Arnold

Merits:
Argued by Gabriele Mezger-Lashly for appellant and by George L.
Wittenburg for respondent. Cause submitted.

B137068 Ashley
 v.
 Ashley

Merits:
Argued by John F. Hodges for appellant and by Robert H. Mott for
respondent. Cause submitted.

DIVISION SIX (Continued)

B129759 Olds
v.
California Polytechnic State University

Merits:
Argued by Diane Matsinger for appellant and by David A. Juhnke for respondent. Cause submitted.

B124340 Haanpaa
v.
Murphy

Merits:
Argued by Stanley P. Fleshman for appellant/cross-respondent and by Michael A. Colton for respondents/cross-appellants. Cause submitted.

B12511 Virgin
v.
County of San Luis Obispo

Merits:
Argued by William S. Walter for appellant and by Rita L. Sciaroni for respondent. Cause submitted.

Court adjourned at 11:35 A.M.

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The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SEVEN

B134038 Los Angeles County (Not for Publication)
 Transportation Authority
 v.
 Superior Court, Los Angeles County
 (Parsons-Dillingham Metro Rail Construction Manager Joint Venture,
 r.p.i.)

The petition for writ of mandate is denied. Real Parties in Interest shall recover their costs in this proceeding.

Neal, J.

I concur: Woods, J.
I dissent: Johnson, Acting P.J. (Opinion)

B113890 People
 v.
 Masog

Filed order denying petition for rehearing.

B136849 People (Not for Publication)
 v.
 Cortlandt Y.

The order under review is affirmed.

Woods, J.

We concur: Lillie, P.J.
 Johnson, J.

B132992 People
 v.
 Santistevan

Filed order modifying opinion. (No change in the judgment)